

NO. 917 P. 1.

DUCKOR
SPRADLING
METZGER
& WYNNE
A LAW CORPORATION

**RECEIVED
CENTRAL FAX CENTER**

JAN 06 2005

401 WEST A STREET, SUITE 2400
SAN DIEGO, CALIFORNIA 92101 7915
TELEPHONE (619) 731 3066
FACSIMILE (619) 731 6624
WWW.BATHFURN.COM

FACSIMILE TRANSMITTAL

TRS

To:	FACSIMILE NO.:	TELEPHONE NO.:
Commissioner for Patents PO BOX 1450 Alexandria, VA 22313-1450	(703) 872-9306	

FROM:	Bernard L. Kleinke, Esq.
RE:	Application No. 10/777,667
FILE NO.	8590-101
DATE:	January 6, 2005

DESCRIPTION OF DOCUMENT, COMMENT OR SPECIAL INSTRUCTIONS:
NUMBER OF PAGES SENT: <u>14</u> (including cover sheet)

THE PAGES COMPRISING THIS FACSIMILE TRANSMISSION CONTAIN CONFIDENTIAL INFORMATION FROM DUCKOR SPRADLING METZGER & WYNNE. THIS INFORMATION IS INTENDED SOLELY FOR USE BY THE INDIVIDUAL OR ENTITY NAMED AS THE RECIPIENT HEREOF. IF YOU ARE NOT THE INTENDED RECIPIENT, BE AWARE THAT ANY DISCLOSURE, COPYING, DISTRIBUTION OR USE OF THE CONTENTS OF THIS TRANSMISSION IS PROHIBITED. IF YOU HAVE RECEIVED THIS TRANSMISSION IN ERROR, PLEASE NOTIFY US BY TELEPHONE IMMEDIATELY SO WE MAY ARRANGE TO RETRIEVE THIS TRANSMISSION AT NO COST TO YOU.

JAN 06 2005

Atty. Dkt. No. 8590-101

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Alsobrook, et al.

Title: METHODS AND APPARATUS FOR
PROCESSING VEGETABLES

Appl. No.: 10/777,667

Filing Date: February 10, 2004

Examiner: Sarah Louise Kuhns

Art Unit: 1761

CERTIFICATE OF MAILING BY FACSIMILE Date of Deposit: January 6, 2005 I hereby certify that this correspondence is being facsimile transmitted on the date indicated above to the Commissioner for Patents, PO BOX 1450, Alexandria, VA 22313-1450, at telephone No. 703-872-9306.	
_____ Bernard L. Kleinke (Printed Name)	
_____ (Signature)	

AMENDMENT TRANSMITTAL

Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Transmitted herewith is an amendment in the above-identified application.

- [X] Small Entity status under 37 C.F.R. § 1.9 and § 1.27 has been established.
- [X] Please charge the amendment fee of \$75.00 pursuant to the Credit Card Authorization form enclosed.
- [X] The fee required for additional claims is calculated below:

	Claims as Amended	Previously Paid For		Extra Claims Present		Rate		Additional Claims Fee
Total Claims:	27	24	=	3	x	\$ 50.00	=	\$150.00
Independents:	3	3	=	0	x	\$200.00	=	\$0.00
First presentation of any Multiple Dependent Claims:					+	\$360.00	=	\$150.00
CLAIMS FEE SUBTOTAL:							=	\$150.00
<input checked="" type="checkbox"/>	Small Entity Fees Apply (subtract 1/2 of above):						=	\$75.00
								\$0.00
CLAIMS FEE TOTAL:							=	\$75.00

Atty. Dkt. No. 8590-101

The Commissioner is hereby authorized to charge any additional fees which may be required either now or in the future regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to the Deposit Account No. 502635 of DUCKOR SPRADLING METZGER & WYNNE. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to the Deposit Account No. 502635 of DUCKOR SPRADLING METZGER & WYNNE. If any charges or fees must be paid in connection with the foregoing, concurrent or future communication (including, but not limited to, the payment of an extension fee or issue fees), or if any overpayment is to be refunded in connection with the above-identified application, any such charges or fees, or any such overpayment may be respectfully paid out of, or into, the Deposit Account No. 502635 of DUCKOR SPRADLING METZGER & WYNNE. If any such payment also requires a petition or extension request, please construe this authorization to pay as the necessary petition or request, which is required to accompany the payment.

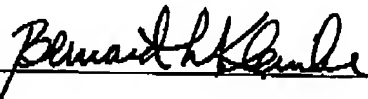
Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date: January 6, 2005

DUCKOR SPRADLING METZGER & WYNNE
A Law Corporation
401 West A Street, Suite 2400
San Diego, CA 92101-7915

Telephone No.: (619) 231-3666
Facsimile No.: (619) 231-6629
Email: kleinke@dsmwlaw.com

By: 

Bernard L. Kleinke
Attorney for Applicant
Registration No. 22,123

JAN 0 6 2005

App. No. 10/777,667
Amdt. Dated January 6, 2005
Reply to Office Action of October 6 2004
Atty. Dkt. No. 8590-101

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Alsobrook, et al.
Title: METHODS AND APPARATUS FOR
PROCESSING VEGETABLES
Appl. No.: 10/777,667
Filing Date: February 10, 2004
Examiner: Sarah Louise Kuhns
Art Unit: 1761

<p>CERTIFICATE OF MAILING BY FACSIMILE Date of Deposit: January 6, 2005 I hereby certify that this correspondence is being facsimile transmitted on the date indicated above to the MAIL STOP AMENDMENT, Commissioner for Patents, PO BOX 1450, Alexandria, VA 22313-1450, at telephone No. 703-872-9306.</p> <hr/> <p>Bernard L. Kleinke (Printed Name)</p> <p><i>Bernard L. Kleinke</i> (Signature)</p>
--

Commissioner for Patents
PO BOX 1450
Alexandria, VA 22313-1450

REPLY AND AMENDMENT

Sir or Madam,

In response to the Office Action dated October 6, 2004, please amend the above-identified application as follows:

Amendments to the Specification begins on page 2 of this paper.

Amendments to the Claims are reflected in the listing of claims which begins on page 3 of this paper.

Remarks and Arguments begin on page 7 of this paper.

01/07/2005 BBONNER 00000003 10777667

01 FC:2202 75.00 OP